

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 26, 2006

DIVISION TWO

B184399 People (Not for Publication)
v.
Gabriel M.

The order committing appellant to the CYA is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B187629 People (Not for Publication)
v.
Beattie

The judgment is affirmed.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B187398 Los Angeles County, D.C.S. (Not for Publication)
v.
C.L. et al.

The juvenile court's jurisdictional and dispositional orders are affirmed.

Doi Todd, Acting P.J.

We concur: Ashmann-Gerst, J.
Chavez, J.

DIVISION TWO (Continued)

B183970 Singleton (Not for Publication)
v.
Shoshone Service Corporation et al.

The judgment of dismissal is reversed and the matter is remanded. The trial court's order denying the motion for leave to amend is reversed and the trial court is directed to enter an order granting leave to file the proposed fourth amended complaint limited to the fraud cause of action. Appellant is entitled to its costs on appeal.

Doi Todd, J.

We concur: Boren, P.J.
 Chavez, J.

B192512 Michelle R. (Not for Publication)
v.
S.C.L.A. (DCFS)

The order to show cause is discharged and the petition for writ of mandate is denied. This decision is final in this court immediately. (Cal. Rules of Court, rule 24(b)(2)(A).)

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

September 26, 2006 (Continued)

DIVISION TWO (Continued)

B191016 Adelaida H. (Not for Publication)
v.
Superior Court, Los Angeles County (DCFS)

The juvenile court properly terminated petitioner's reunification services and set a section 366.26 hearing. Accordingly, the order to show cause is discharged and the petition for writ of mandate is denied.

Chavez, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B185295 People (Not for Publication)
v.
Jerome J.

The order of wardship is modified by (1) modifying probation condition No. 15 to read “Do not associate with each other, any gang members, taggers, or anyone whom you know to be disapproved of by your parents, guardian, or the probation officer”; (2) modifying probation condition number 16 to read “Do not have in your possession dangerous or deadly weapons, and do not remain in the presence of anyone whom you know is unlawfully armed”; and (3) modifying probation condition No. 21 to read “do not use or possess narcotics, and stay away from places known by you to be places where users congregate.” As modified, the order of wardship is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

September 26, 2006 (Continued)

DIVISION THREE (Continued)

B187676 People (Not for Publication)
v.
Karl Roshan Gater

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

B188122 People (Not for Publication)
v.
Levell Vincent McIntyre

The judgment is affirmed. The matter is remanded and the trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting that the trial court sentenced appellant to prison for six years, consisting of the lower term of three years for selling a controlled substance, plus three years pursuant to Health and Safety Code section 11370.2, subdivision (a).

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B182608 People (Not for Publication)
v.
George Vejar

The judgment is affirmed.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

DIVISION THREE (Continued)

[illegible]

Probation condition 15 is modified to read: "Do not associate with anyone you know is disapproved of by your parents or probation officer."

Probation condition 16 modified to read: "Do not have any dangerous or deadly weapon in your possession nor remain in the presence of any person you know to be unlawfully armed." In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Croskey, J.

B185271 Peisner (Not for Publication)
v.
St. Charles, et al.

The judgment is affirmed. Costs on appeal are awarded to plaintiff Peisner.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B188597 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Dorothy Y. and Pierre Y.

The order is affirmed.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION THREE (Continued)

B188932 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Kevin W.

The juvenile court order terminating parental rights is affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B179099 Conney (Not for Publication)
v.
Regents of the University of California

The judgment and order from which appellant has appealed are affirmed.
Costs on appeal to plaintiff.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B184682 JTS Development, Inc. (Not for Publication)
v.
Cooper, et al.
Fielder

The judgment from which defendants appeal and plaintiff cross-appeals is amended to provide for an award of fees and costs to plaintiff and, as so amended, is affirmed. The case is remanded for further proceedings consistent with the views expressed herein. Costs on appeal to plaintiff.

Croskey, Acting P.J.

We concur: Kitching, J.
Aldrich, J.

DIVISION THREE (Continued)

B185827 Mendelson (Not for Publication)
 v.
 Mendelson

The judgment is affirmed. Each party shall bear their own costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B178246 Edwards, II
 v.
 Arthur Andersen, LLP

Filed order modifying opinion. (No change in the judgment).

DIVISION FIVE

B190541 People (Not for Publication)
 v.
 Aaron Watson

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
 Mosk, J.

September 26, 2006 (Continued)

DIVISION FIVE (Continued)

B184124 People (Not for Publication)
v.
Juan Sanchez

The judgment is affirmed.

Kriegler, J.

We concur: Armstrong, Acting P.J.
Mosk, J.

DIVISION SIX

B186155 McMillan (Not for Publication)
v.
Ventura County Sheriff's Department et al.

The judgment is affirmed. Costs are awarded to respondents.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

B184115 People (Not for Publication)
v.
Collins

The order denying the motion is reversed and the abstract of judgment is ordered corrected by adding one additional day of presentence custody credit. The trial court shall amend the judgment accordingly and forward the amended abstract to the Department of Corrections.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

September 26, 2006 (Continued)

DIVISION SIX (Continued)

B185095 People (Not for Publication)
v.
Winfield

The conviction for petty theft with a prior is stricken. In all other respects the judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B184544 People (Not for Publication)
v.
Gonzalez

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B183783 People (Not for Publication)
v.
Bauer

The order granting probation is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

September 26, 2006 (Continued)

DIVISION SIX (Continued)

B189098 People (Not for Publication)
v.
Steele

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B177486 Ogata et al.
v.
J.G. Construction Co., et al.

Filed order denying petition for rehearing.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

Each of the following:

B184924	People v. Brownlee
B187243	DCFS v. Magdeleno C., Maria P. & Lisa C.
B187375	People v. Uemura
B189713	DCFS v. Connie A.
B186621	People v. Marquez
B187479	People v. Jose C.
B189862	DCFS v. Ernie R. & Dorena C.
B187903	People v. Robledo

Argument waived, cause submitted.

DIVISION EIGHT (Continued)

B185702 People
 v.
 Reyes

Merits:

Argument in this matter having been previously waived, it is ordered that submission is deferred to October 6, 2006, by which date respondent shall file with this court and opposing counsel, a copy of the subsequent one year recommitment order, referred to on page two of respondent's supplemental brief.

B185415 Online Power, Inc.
 v.
 Mazur

Oral argument is continued to October 26, 2006, at 9:00 a.m.

B178773 Sommers
 v.
 Ego et. al.

Oral argument is continued to October 27, 2006, at 9:00 a.m.

B183962 People
 v.
 Bankers Insurance Company,

Appearances:

William Woods, Deputy District Attorney for respondent and appellant having waived oral argument. Argument waived, cause submitted.

B183321 In re Frank J. McNeely on Habeas Corpus.

Merits:

Argued by John Colucci for petitioner and by Carl Henry, Deputy Attorney General for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B182481 Law Offices Of Herbert Hafif, APC,
 v.
 Ronald C. Stock dba Law Offices of Ronald C. Stock,

Merits:
Argued by Greg K. Hafif for appellant and by Ronald C. Stock for
respondent. Cause submitted.

Justice Boland leaves the bench.

B182814 Perez et. al.,
 v.
 Richard Roe 1, 2, 3, 4-300,

Merits:
Argued by Daniel U. Smith for appellants, by William Larson for amicus
curiae and by Paul Balestracci for respondents. Cause submitted.

B184926 Herzlich,
 v.
 Los Angeles County MTA

Merits:
Argued by Roland Wrinkle for appellants and by Cynthia Tobisman for
respondent. Cause submitted.

Court recessed at 12:17 p.m.

Court reconvened at 1:12 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

DIVISION EIGHT (Continued)

B181485 Gilliam,
v.
Smith et al.,

Appearances:
Jay Seashore for respondents and no appearance for appellant. Cause submitted.

B187776 People
v.
Tiffeney H.,

Merits:
Argued by Gerald Peters for appellant and by Yun Lee, Deputy Attorney General for respondent. Cause submitted.

Presiding Justice Cooper leaves the bench.

B183821 The Cadle Company,
v.
World Wide Rattan, Inc., et. al.,

Merits:
Argued by Jeffrey Cohon for appellants and by Templeton Briggs for respondent. Cause submitted.

B186713 Romi's Express et. al.,
v.
Gil et. al.,

Merits:
Argued by Steven Jones for appellants and by Elliot Blut for respondents. Cause submitted.

DIVISION EIGHT (Continued)

B186562 People
 v.
 Tuttle

Merits:

Argued by John Dwyer for appellant and by David Glassman, Deputy Attorney General for respondent. Cause submitted.

B183900 Lucente Spa,
 v.
 Apik Jewelry, Inc.,

Merits:

Argued by Robert Gerstein for appellant and by Michael Amir for respondent. Cause submitted.

B186402 Daugherty et. al.,
 v.
 Honda Motor Co., LTD., et al.,

Merits:

Argued by David Martinez for appellants and by Wallace Allan for respondents. Cause submitted.

Court adjourned.

B183413 Giraud et al., (Not for Publication)
 v.
 NTT Enterprises, Inc.,

The judgment is reversed. Appellants are to recover their costs on appeal.

Flier, J.

We concur: Cooper, P.J.
 Rubin, J.